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## HILLMON CASE SETTLED.

McNall's Fight for Fair Dealing in Insurance Finally Wins.

The New York Life Insurance Company has settled the celebrated Hillmon case. The failure to pay this loss was the cause of Superintendent McNall's refusal to license this company last March. He held that after a claim had been litigated for twenty years without a settlement that it was time for the company to pay and that failure to do so meant a refusal to permit the company so refusing to do business in Kansas.

A big disturbance was immediately started by the company's agents and by Republican papers. McNall was called a czar, and his "arbitrary, despotic" methods were made the text for hundreds of abusive editorials. The Federal courts were appealed to and "victory after victory" was won by the company. The injunction machinery was used in every conceivable way, but the New York Life and its associate companies remained on the outside. The fight against the czar was even carried so far that he was indicted for contempt growing out of his disregard for Federal court orders which were issued without authority by courts having no jurisdiction of the issues involved.

But all this time the State courts, which really had jurisdiction in the case, were carefully avoided. They were not suited to the purposes of the bluff game of the companies. When these courts were reached by the State authorities decisions against the companies, ousting them from the State were handed down. These established precedents in the construction of State law, which according to the rules of practice, must be followed by the Federal courts. A case of the same character was pending against the New York Life and would soon be passed upon by the State Supreme court. As the same decision was almost sure to be given it was, as McNall would say, "up to them."

As the bluff had failed to work and as the company was about to be deprived of business which was yielding a profit of two dollars for every dollar invested in Kansas it very sensibly decided to quit and pay. Its attorneys made the necessary settlement and paid \$24,000 into court last Friday. The company's policy was originally \$10,000 but the accrued interest had more than doubled it. The case was tried five times. In four of these trials the jury disagreed and in one of them Mrs. Hillmon got judgment. In none of the cases did the companies get a verdict in their favor.

Hillmon had three policies. These were in the following companies for the amounts named: New York Life \$10,000, New York Mutual Life \$10,000, Connecticut Mutual Life \$5,000. On the basis of the New York Life's settlement, Mrs. Hillmon, who has since married J. C. Smith, will receive about \$62,000 if the other companies follow its example.

The result is a great victory for Superintendent McNall. It is virtually an acknowledgment that his claim that Mrs. Hillmon's treatment was unjust, is true. It sustains McNall's action and is an admission that the claim was a proper one. It is not known what the other companies will do but it not probable that they will continue the fight alone. The fact that the New York Life has always led in the fight gives color to this impression.

## Another Insurance Company Settles.

The Metropolitan Life Insurance Company has found that it is unprofitable to fight the laws of Kansas and to refuse to pay its losses, so it has settled the Mrs. Emery loss at Kansas City. This loss was the cause of its license being revoked by Superintendent McNall. This was not the only cause, however, as the company refused to give certain information relative to its business which was demanded. McNall's efforts to bring the companies to time seem to be bearing splendid fruit.

## Clarkson Falls in Line.

Chicago, January 21.—Harrison Clarkson, manager of the rating bureau at Topeka, Kas., after a conference with Chicago managers, has decided to abandon the bureau and cancel the subscription of the companies.

The suits instituted by Mr. Clarkson to restrain Webb McNall, Insurance Commissioner, from interfering with the bureau, to which the companies were made party, will be continued, as the managers wish a decision on some of the points involved. The Commissioner ruled against the bureau under the anti-contract laws of the State.

## Guardians of Kansas History Meet.

The annual meeting of the Kansas State Historical Society was held at Topeka January 18. The meeting was well attended and brought out much of historical value. John Speer, the venerable President of the society, discussed "The Importance of Accuracy in Historical Statements." He criticized many loose reports of events connected with Kansas history, among which was a book of civil government by Prof. Hodder. Memorial addresses were presented for George T. Anthony, Major J. B. Abbott and T. Dwight Thacher. Eugene F. Ware presented a bust of D. W. Wilder, in which he reserves a proprietary interest until the society is given suitable quarters for its rooms. Mr. Wilder was the real originator of the society, having offered a resolution providing for the society's organization in the State Editorial Association in 1874. Col. Johnson, of Topeka, gave the society a gavel made from one of the first apple trees grown in Johnson county. Chancellor Snow gave a history of the early days of the University. L. R. Elliott read L. V. Brower's paper on "Coronado." A committee was named to assist Mr. Brower in his researches in this direction. The following officers were elected for the ensuing year:

President, John Speer; Vice Presidents, Eugene F. Ware and W. A. Peffer; Secretary, F. G. Adams.

The directors are elected in three sections for three years each. The section elected this year includes the following:

F. G. Adams, Alex. Caldwell, H. T. Chase, E. J. Dallas, Chas. S. Gled, John Guthrie, C. K. Holliday, A. H. Horton, Col. A. S. Johnson, F. O. Popenoe, William Sims, Fred Wellhouse, and A. L. Williams, of Topeka; J. R. Clark, La Cygne; L. R. Elliott, Manhattan; J. S. Emery, Lawrence; I. D. Graham, Manhattan; H. C. F. Hackbusch, Leavenworth; G. W. Harrington, Hiawatha; J. G. Haskell, Lawrence; Scott Hopkins, Horton; Mrs. Geo. Johnson, White Rock; Henry Kuhn, Marion; V. J. Lane and Geo. W. Martin, Kansas City; J. F. Legate, Leavenworth; H. L. Moore, Lawrence; E. N. Morrill, T. B. Murdock, El Dorado; Adrian Reynolds, Sedan; W. H. Smith, Marysville; A. E. True, Vera; F. L. Vandegrift, Kansas City.

## CITY OWNERSHIP WINS.

Recent Elections in Iola and Neodesha Show Growth of Sentiment.

For over a year the people of the growing city of Iola have been discussing public ownership of the natural gas plant. Two plants have been mixed up in litigation for some time and the court fixed a price at which the city might acquire both plants. This price was \$30,000. The testimony in the cases showed that the profits were averaging \$10,000 per year.

Last spring at the city election the public ownership adherents captured the Republican convention and named a ticket in harmony with their ideas. The opponents named an independent ticket, but in spite of the fact that the city is strongly Republican the Republican ticket was beaten. By reason of the city's growth it has become a city of the second class and a special election was necessary.

This was held last week. The Republicans pretended to ignore the public ownership question but named a strong, popular man to head the ticket. A citizens' ticket was named by those favoring city ownership. A specially hard fight followed. The citizens' candidates, headed by W. H. McClure, made public ownership the issue. When the votes were counted he had 200 votes more to his credit than his opponent had. Proper petitions will be immediately circulated and an election to settle the ownership question will soon be called. The new administration will push the movement energetically and it will doubtless be successful, the change in the past year indicating that sentiment is rapidly changing in favor of sensible business government. The example of Iola can be followed with profit by many other cities.

Neodesha has voted for municipal ownership of the natural gas plant, the vote being eight to one. A vote of about eleven to one was shown in favor of a city water-works plant. Each proposition carried with it the issue of \$15,000 bonds. The exact vote was 332 to 44 for the gas plant and 340 to 32 for the water-works. At a previous election the vote was five to one and six to one. That election was declared invalid because some features of the ballot law were disregarded. The question is now settled and another city has been added to the growing list of those which are sensible enough to run their own affairs.

## Kansas at Omaha Exposition.

Since an agreement has been reached by which the various railroad companies operating in the State have pledged \$15,000 in cash, provided a like amount shall be obtained by subscription through the efforts of Governor Leedy, it is assured that a total of \$30,000 can be used for a Kansas exhibit at the Omaha exposition. The citizens of every county in the State should now come forward with their offers of voluntary subscriptions to aid the Governor in securing the fund without delay. Through the efforts of E. S. Tucker, acting as commercial agent for Kansas exhibits, many of the counties have subscriptions started and committees at work. The western part of the State is especially concerned in the movement and will doubtless furnish displays that

will be a revelation. But there needs to be an organized commission, authorized by the Governor, to collect all material furnished by the counties and place the same on exhibition. Although each county exhibit will be separate and distinct in itself, yet when grouped together they will represent the State; consequently let each make an effort to supply only the best, and establish the fact that Kansas can always make a favorable comparison with any State of the West, especially on this occasion. The calling of a meeting of delegates from all parts of the State, composed of all who will serve voluntarily, should be the next step in organizing forces to take charge of the work for pushing Kansas' representation to success. We hope that each county will respond for the benefit of its own interests and for the credit of the State.

## Stock Insurance Frauds Prohibited.

Superintendent McNall is now after companies which insure live stock and pay on a basis of the number of head owned rather than the number insured. He says: "When stockmen take out insurance to the amount of \$500 on a bunch of cattle he is laboring under the impression that if \$500 worth of his herd die, he will get the \$500 insurance. Not so. The company will ask him how many cattle he had in his herd. Then it will pro-rate the insurance, and will pay him insurance on each animal that dies in proportion to the amount the insurance bears to the value of the entire herd. If a stockman has 1,000 head and \$500 insurance, he will get 50 cents per head insurance for every steer that dies, under the present system. I don't consider that insurance. The insurance received will not amount to as much as the premium paid. If these companies do business in Kansas after March 1, they will have to change their policies so as to agree to pay the actual loss up to the limit of their policy. No more pro-rating will go."

## Bush Wants Detailed Reports.

Secretary of State Bush is going to see to it that corporations which must report to his office make a report which means something. He therefore asks for information on the following subjects:

Bills receivable, real estate, personal property, stocks, bonds and other securities, merchandise, cash on hand, due from banks, accounts receivable, judgments, capital, surplus, undivided profits, bills payable, bonded indebtedness, incumbrance on real estate or plant, profit on merchandise sold, profit on real estate sold, rents, interest, commissions, officers' salaries, clerk hire, other labor, rent, insurance, taxes, interest, dividends.

## The Historical Society's Collections.

The library of the Kansas Historical Society now contains 96,034 volumes of all kinds. There were 854 volumes of books, 2,351 unbound volumes and pamphlets, 1,337 volumes of newspapers and periodicals and a number of miscellaneous things of historic value added to the collection last year. The society now has 12,990 bound volumes of Kansas newspapers and periodicals. The publishers of the State give the society a free copy of their papers and these are carefully preserved. The newspapers of the State now number 779 of which 56 are dailies, 623 weeklies, 3 semi-weeklies, 72 monthlies, 5 semi-monthlies and 15 less frequently.